



City of Gainesville

Meeting Agenda

City Commission

City Hall
200 East University Avenue
Gainesville, Florida 32601

Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Chuck Chestnut (District 1)
Commissioner Warren Nielsen (At Large)
Commissioner Rick Bryant (At Large)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Equal Opportunity Department at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

Monday, November 14, 2005

1:00 PM

City Hall Auditorium

CALL TO ORDER - 1:06 PM

AGENDA STATEMENT

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

040634

21st Century Community Learning Center Interlocal Agreement with School Board (B)

This item involves receiving \$308,956 in Year 2 funds from the School Board for the City's 21st Century Learning Centers. One 21st Century Learning Center is located at the Eastside Community Center and the other at the Reichert House.

050557

Digital In-car Video Recording and Management System (B)

This item involves the purchase of six digital in-car video systems for the Gainesville Police Department from Department of Justice grant funding, already awarded to the City.

050565

Contract for Grounds Maintenance at the Thomas Center Gardens (B)

This item involves a request for the City Commission to approve the awarding of the Contract for Grounds Maintenance at the Thomas Center

Gardens to Sunshine State Lawn Service Inc.

050567 Organizational Structure of General Government (NB)

Under the City Charter, the City Manager may exercise the duty to propose an ordinance or ordinances designating the job titles of subordinates who are directors of departments. Under the Charter, the City Manager has the authority to appoint directors based on merit and remove directors of departments at will.

050568 Bid Award for Repainting RTS Buses (B)

This item involves a request for the City Commission to Award the Bid in the amount of \$60,000 and execute the one year contract for FAAO Manufacturing to Repaint the RTS Buses.

050569 Request to Refer the 6th Street Corridor Rail Trail Abandon CSX Railroad Right-of-Way Acquisition to the Public Works Committee (B)

This item requests the City Commission refer to the Public Works Committee for their review and recommendation regarding issues associated with the land rights acquisition of the CSX abandon railroad right-of-way as it relates to the 6th Street Corridor portions of the Rail Trail system.

050590 Award of Old Landfill at Sweetwater - Slope and Creek Stabilization (B)

This item involves a request for the City Commission to award the completion of the project to Environmental Barrier Company, LLC.

050595 Pension Plan Ordinance Amendments (NB)

This item involves amending the General Employees' Pension Plan ordinance and the Consolidated Police Officers' and Firefighters' Pension Plan ordinance in response to recent Internal Revenue Service pronouncements.

050561 Tiger Bay Project/Block Grant and Surcharge Connection Funds Reallocation (B)

At the May 23, 2005 City Commission Meeting, the City Commission requested staff to come back with recommendations to reallocate the \$100,000 worth of Block Grant and Surcharge Connection funds that were previously set aside for the Tiger Bay Project, since these funds were no longer needed for this project. The total funds set aside for this project included \$72,000 from the Surcharge Connection Program and \$28,000 from the HOME Program. This item involves a request for the City Commission to approve the reallocation of these funds for other affordable housing projects.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

050599 **Approval to Enter into a Consent Order with the Florida Department of Environmental Protection (NB)**

Due to wastewater releases earlier this year, FDEP has proposed a Consent Order to resolve the previous release events, conduct activities to deter future releases, and assess stipulated penalties for any future wastewater releases to surface waters that do occur within a five year period. The stipulated penalties may be reduced or eliminated if releases are beyond the Utility system's reasonable control, if the Utility is exercising prudent utility practices to eliminate wastewater spills, or if the Utility takes aggressive actions to reduce the environmental impact of a release. Monetary penalties have been assessed at \$12,500 for the wastewater releases earlier.

050617 **Taxable Financing - Partial Cost Mitigation (NB)**

CITY ATTORNEY, CONSENT AGENDA ITEMS

050598 **BellSouth Petition to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting from Changes in Law, FPSC Docket 041269-TP (B)**

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

050593 **City Commission Minutes (B)**

050560 **"The Intern" (2) (B)**

050594 **Dual Name for SW 28th Street (B)**

050609 **City Commission Special Meetings (NB)**

050611 **Mayor Hanrahan - Ethics Opinion (NB)**

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****LEGISLATIVE COMMITTEE, CONSENT****COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****END OF CONSENT AGENDA**

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

050563 **Appointment of a City Commissioner to the Elected Officials Group of the Interlocal Agreement for Public School Facility Planning (B)**

Appointment of a City Commissioner to serve as a member of the Elected Officials group for school concurrency in accordance with the Interlocal Agreement for Public School Facility Planning.

GENERAL MANAGER FOR UTILITIES

050536 **Consultant Selection Process for the Independent Consultation on Options for Meeting the Electrical Supply Needs of the Gainesville Community (B)**

050600 **Recent Trends and Factors Influencing Fuel Costs (NB)**

Staff is prepared to update the City Commission on market conditions.

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

050217 **GFR Firefighter Staffing and Equipment Policies (B)**

050495 **Request to Review Tow Rates and Status of Towing Advisory Board (B)**

LEGISLATIVE COMMITTEE

050483 **2006 State Legislative Statement (B)**

050484 **Request from Sarasota County Regarding Red Light Camera Legislative Support (B)**

ECONOMIC DEVELOPMENT/UNIVERSITY COMMUNITY COMMITTEE

050399 **Civic Lights (B)**

This item involves a request for a \$10,000 contribution and City participation in the Civic Lights Urban Lighting Design Exhibition sponsored by the University of Florida College of Fine Arts.

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

050588 **Alachua County Solid Waste System (B)**

MEMBERS OF THE CITY COMMISSION

050471 **Mayor Hanrahan/Charter Review (NB)**

COMMISSION COMMENTS (if time available)

CITIZEN COMMENT

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

Junior Girl Scout Troop #282

PROCLAMATIONS/SPECIAL RECOGNITIONS

050602 **Farm-City Week - November 18-25, 2005 (B)**

050603 **Alexa Ostolozza and Prematurity Awareness Day - November 14, 2005 (B)**

PUBLIC HEARINGS

STATE REVIEW ORDINANCES, 2ND READING - ROLL CALL REQUIRED

041050**LAND USE CHANGE - SW 24TH AVENUE (B)****Ordinance No. 0-05-42, Petition 16LUC-05PB**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain properties annexed into the City from the Alachua County land use category of "LOW, Low Density Residential" to the City of Gainesville land use category of "Single-Family (up to 8 units per acre)"; consisting of approximately 34 acres; located at the south side of Southwest 24th Avenue, west of I-75 and east of Tower Road; providing a severability clause; providing a repealing clause; and providing an effective date.

041186**LAND USE CHANGE - BLUES CREEK (B)****Ordinance No. 0-05-54, Petition 48LUC-05PB**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain properties annexed into the City from the Alachua County land use category of "LOW, Low Density Residential" to the City of Gainesville land use category of "Residential Low-Density (up to 12 units per acre)", as more specifically described in this Ordinance, generally located in the vicinity of the 7200 block of N.W. 52nd Terrace; providing a severability clause; providing a repealing clause; and providing an effective date.

041190**LAND USE CHANGE - SOUTH MAIN STREET (B)****Ordinance No. 0-05-56, Petition 52LUC-05PB**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain properties from "Single-Family (up to 8 units per acre)" to "Conservation", as more specifically described in this Ordinance, generally located in the vicinity of 3304 South Main Street; providing a severability clause; providing a repealing clause; and providing an effective date.

041060**COMPREHENSIVE PLAN AMENDMENT, FUTURE LAND USE MAP, CHANGING LAND USE CATEGORIES OF CERTAIN PROPERTIES TO URBAN MIXED-USE 1 AND URBAN MIXED-USE 2 (B)****Ordinance No. 0-05-76; Petition 36LUC-05 PB**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain properties from the land use categories of "Residential Medium-Density (8-30 units per acre)", "Residential High-Density (8-100 units per acre)", "Mixed-Use Residential (up to 75 units per acre)", "Mixed-Use Low-Intensity (8-30 units per acre)", "Mixed-Use Medium-Intensity (12-30 units per acre)", "Office", "Commercial", "Education", "Public Facilities", "Conservation", and "Planned Use District", as more specifically described in this Ordinance, to "Urban Mixed-Use 1 (UMU-1: Up to 75 units/acre)" and "Urban Mixed-Use 2 (UMU-2: Up to 100 units/acre)", as more specifically described in this Ordinance; the affected

properties are located within that area generally described as the area bounded by NW 5th Avenue to the north, SW 6th Street to the east, and SW 16th Avenue to the south and NW 20th Street to the west; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

041057**COMPREHENSIVE PLAN AMENDMENT - URBAN MIXED-USE DISTRICTS (B)****Ordinance No. 0-05-72; Petition 34CPA-05 PB**

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan; creating and adding two new land use categories, Urban Mixed-Use district 1 (UMU-1: up to 75 units per acre) and Urban Mixed Use district 2 (UMU-2: up to 100 units per acre); allowing for up to 25 additional units per acre by Special Use permit; providing conditions and standards; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

031252**COMPREHENSIVE PLAN AMENDMENT (TCEA) (B)****Ordinance No. 0-05-16; Petition 78LUC-04 PB**

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; amending the City of Gainesville Future Land Use, Transportation Mobility and Concurrency Management Elements' Map Series and Legal Descriptions to add a Zone C to the Transportation Concurrency Exception Area (TCEA) containing areas annexed in the Archer Road/Southwest area annexation; amending the Future Land Use Map Series to expand the Designated Urban Redevelopment area to include the Archer Road/Southwest area annexation; amending the existing and potential transit hubs, terminals, transfer stations map, Transportation Mobility Map Series; amending the Concurrency Management Element Map Series to add a NW 13th Street Special Concurrency Redevelopment Area Map; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

031253**COMPREHENSIVE PLAN AMENDMENT - TCEA (B)****Ordinance No. 0-05-17; Petition 79CPA-04 PB**

An ordinance of the City of Gainesville, Florida, amending the Concurrency Management Element of the City of Gainesville 2000-2010 Comprehensive Plan; adding Zone C to the Transportation Concurrency Exception Area; adding policies for Zone C; amending other policies to update the Element; amending Capital Improvements Element and Future Land Use Elements to implement the TCEA expansion; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

COMPANION ORDINANCES, 1ST READING - ROLL CALL REQUIRED

041051 REZONING - SW 24TH AVENUE (B)**Ordinance No. 0-05-43, Petition 17ZON-05PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties annexed into the City from the Alachua County zoning category of "R-1a, single-family, low density (one to four dwelling units per acre)" to the City of Gainesville zoning category of "RSF-1: 3.5 units/acre single-family residential district"; located in the vicinity of the south side of SW 24th Avenue, west of I-75 and east of Tower Road; consisting of approximately 34 acres; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

041187 PLANNED DEVELOPMENT - BLUES CREEK (B)**Ordinance No. 0-05-55, Petition 49ZON-05PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands, recently annexed into the City and as more specifically described in this ordinance, from the Alachua County zoning category of "PD, planned development" to the City of Gainesville zoning category of "Planned Development District"; adopting and approving the Land Development Conditions that were imposed by Alachua County; generally located in the vicinity of the 7200 block of N.W. 52nd Terrace; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

041191 REZONING - 3304 S MAIN STREET (B)**Ordinance No. 0-05-57, Petition 53ZON-05PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands of the City from "RSF-1: 3.5 units/acre single-family residential district" to "CON: Conservation district", as more specifically described in this ordinance; generally located in the vicinity of 3304 South Main Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

041061 ZONING MAP AMENDMENT - UMU-1 AND UMU-2 ZONING CATEGORIES (B)**Ordinance No. 0-05-77, Petition No. 37ZON-05PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties, as more particularly described in this Ordinance, from the zoning category designations "RMF-6: 8-15 units/acre multiple-family residential district," "RMF-8: 8-30 units/acre multiple-family residential district," "RH-1: 8-43 units/acre residential high density district," "RH-2: 8-100 units/acre residential high density district," "RMU: up to 75 units/acre residential mixed district," "MU-1: 8-30 units/acre mixed use low intensity," "OR: 20 units/acre office residential district," "MD: Medical services district," "OF: General office district," "BT: Tourist-oriented business district," "CON: Conservation district," "ED: Educational services district," and "PS: Public services and operations district," to the new zoning category designations of

"UMU-1: up to 75 units/acre urban mixed use district" and UMU-2: up to 100 units/acre urban mixed used district, located in the College Park/University Heights area, and an area generally bounded by Archer Road and Depot Avenue to the north, Southwest 6th Street to the east, and Southwest 16th Avenue to the south, consisting of approximately 550 acres; providing a severability clause; providing a repealing clause; and providing an effective date.

041058

LAND DEVELOPMENT CODE AMENDMENT - NEW ZONING DISTRICT CATEGORIES, UMU-1 AND UMU-2 (B)

Ordinance No. 0-05-73; Petition 35TCH-05 PB

An ordinance of the City of Gainesville, Florida, creating new zoning district categories in the Land Development Code, called Urban Mixed-Use 1 (UMU-1: up to 75 units/acre) and Urban Mixed-Use 2 (UMU-2: up to 100 units/acre); providing regulations for UMU-1 and UMU-2; allowing up to an additional 25 units per acre with a special use permit; providing directions to the city manager; providing directions to the codifier; providing a severability clause; and providing an immediate effective date.

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

050159

LAND DEVELOPMENT CODE AMENDMENT - SIDEWALKS IN INDUSTRIAL DISTRICTS (B)

Ordinance No. 0-05-94; Petition 108TCH-05 PB

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Development Code, relating to requirements for sidewalks in industrial areas; amending subsection 30-188(e), eliminating the requirement to provide sidewalks as a required subdivision improvement in an industrial area, except on arterial and collector streets; amending subsection 30-338(6), eliminating sidewalk requirements on land designated as industrial on the Future Land Use Map of the City of Gainesville; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

050115

SEXUAL OFFENDERS AND SEXUAL PREDATORS (B)

Ordinance No. 0-05-96

An ordinance of the City of Gainesville relating to sexual offenders and sexual predators; creating and adding a new Article III to Chapter 17 to be titled Sexual Offenders and Sexual Predators; providing definitions; establishing residency requirements, restrictions and penalties; prohibiting certain sexual offenders and sexual predators from residing within a specified distance of schools, daycare centers or parks, as more specifically defined in this ordinance; establishing requirements, responsibility and penalties for property owners and agents that let or rent to certain sexual offenders and sexual predators; providing for sexual offenders and sexual predators to acknowledge responsibilities; amending section 2-339, of the

Gainesville Code of ordinances relating to applicable codes and ordinances subject to civil citation; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

050160

REZONING TO SIGNIFICANT ECOLOGICAL COMMUNITIES OVERLAY DISTRICT (B)

Ordinance No. 0-05-92, Petition No. 109ZON-05PB

An Ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning and imposing the Significant Ecological Communities Overlay District category on certain properties zoned "RSF-1: 3.5 units/acre single-family residential district", and "I-1: Limited industrial district"; consisting of approximately 358 acres, and generally located south of NE 53rd Avenue, east of NE 15th Street, north of NE 39th Avenue and west of Waldo Road; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

050547

ANNEXATION OF PARCELS 06693-000-000, 06694-000-000 AND 06695-000-000, SOUTH OF THE CITY LIMITS AND WEST OF SW 34TH STREET (B)

Ordinance No. 0-05-89

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area generally described as follows: south of the city limits, west of SW 34th Street and tax parcel 06688-000-000, and east of tax parcel number 06715-000-000; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing directions to the Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

050373

EARLY VOTING (B)

ORDINANCE NO.: 0-05-98

An ordinance of the City of Gainesville amending Chapter 9 Elections by amending Sections 9-5 and creating Section 9-6.5 by providing early voting in municipal elections; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

050228

SECURITY CAMERAS IN PUBLIC PLACES (B)

ORDINANCE NO.: 0-05-97

An ordinance of the City of Gainesville repealing Section 21-10, relating to use of television surveillance equipment in investigation and detection of crime; providing an immediate effective date.

050470 AMENDMENT TO APPRAISAL ORDINANCE (B)

ORDINANCE NO.: 0-05-100

An ordinance of the City of Gainesville, Florida, amending Article VI, Section 2-435 of the Code of Ordinances to increase the value of property requiring appraisal to \$100,000; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RESOLUTIONS- ROLL CALL REQUIRED

050579 Resolution for a Joint Partnership Agreement between City of Gainesville and United States Department of Transportation-Unified Certification Program (B)

This item involves a request for the City Commission to approve the Resolution authorizing execution of a Joint Participation Agreement between the City of Gainesville and the United States Department of Transportation - Unified Certification Program.

050601 Proposed Amendments to Resolution (030223) for Use of Funds from Surcharge on Connection Charges for Funding Water, Wastewater and Reclaimed Water Extensions in the City of Gainesville (B)

At the April 25, 2005 City Commission meeting, the City Commission directed the City Manager and General Manager for Utilities to bring back a proposal for going forward with the program for extending water, wastewater and reclaimed water service to residents within the City limits using funds obtained from the surcharge on water and wastewater connection charges. The specific issue of concern with regard to the program is the need to secure a funding source to pay for on-site plumbing costs for low income beneficiaries in the program. As suggested by the Commission, staff is bringing back changes to the City Commission Resolution that will allow funds obtained from the surcharge to be used to pay for these on-site costs.

050296 Enterprise Zone Program Re-Designation (B)

This item involves a request for the City Commission to re-designate the City of Gainesville Enterprise Zone Program per recommendations of the Gainesville Enterprise Zone Development Agency.

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

- 050158** Amend Sec. 30-159 amending the criteria for level of review and creating a level of review for minor plans that will be subject to the consent agenda process of the development review board; amending Sec. 30-350 to restructure the neighborhood meeting requirements, eliminate the requirement for an advertisement in a newspaper of general circulation and add an architectural/design consultant procedure for development located in community redevelopment districts and Special Area Plan districts; amending Sec. 30-351(d) notice of development plan review to provide notice for certain minor plans; amending Sec. 30-23 providing a definition for developed industrial area; and, amending Sec. 30-352(b) to revise the background and expertise requirements of the persons who may serve as development review board members. Petition 107TCH-05PB (B)

SCHEDULED EVENING AGENDA ITEMS

- 050559** Commissioner Jack Donovan - Temporary Emergency Homeless Assistance Plan (B)

During the October 24, 2005, City Commission meeting, Commissioner Jack Donovan made a presentation on the need for immediate shelter and services for persons who are homeless or at risk of becoming homeless. The City Commission agreed to discuss proposals to meet these needs at the November 14, 2005, City Commission meeting.

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT

ADJOURNMENT - 10:58 PM